

Certain Seasonable REFLECTIONS upon the BILL for Raising the Penalty of 500 l.

Humbly Offered to the Consideration of the Parliament.

Quære 1. **W**Hether it is not inconsistent with his Majesty's Recommendation of a General Act of Oblivion? and his most Gracious Intentions of protecting all his Subjects that are willing to swear Allegiance to his Royal Person; who came hither to save, and not to destroy whole Families?

Quære 2. Whether such a Calamity would not be too general and universal to consist with the true Interest of the Kingdom at this juncture of time, whilst we are in fear of the late King in Ireland, and the whole Power of France; for I hear that many Thousand Protestant Families, their Wives and Children, will be ruined by the Passing of this Bill?

Quære 3. Whether such a Law be not unequal in it self, and also with relation to other Offences? Unequal in it self, because it doth not distinguish *Quo animo*: Some were moved by Ambition, Revenge and Interest; others by Principles of Obedience, Conscience and Fear: some designed nothing but Mischief, and others ventured their own Fortunes to protect their cashiered Friends from Persecution; nay, there were some (though you will not easily believe it) that purposely neglected the Oaths, that they might with more freedom assist his present Majesty at his first Landing, which they did accordingly.

Unequal in relation to other Offences, which are many in number, and of a higher nature; and you will not make a Law for to save your own Purfes, which shall be like a Cobweb, Catch the lesser Flies, and let the greater escape: It seems more equal, that a Catalogue of all Offences should be made, and every Offender, within each respective Offence, Fined according to your discretion, and the heinousness of the Offence; and the rather, for that it is a Quære:

Quære 4. Whether this Offence be not more safe by the Law, than any of the other great Offences? And whether this Bill hath not a Retrospect, and seems to be in nature of a Bill of Attainder, that Condemns Men without any other Law to Convict them besides it self?

For, first, all Men that had particular Dispensations in their Patents (as all Justices of Peace had, and many others) I may plead the Judgment in Sir Edward Hale's Case at *Westminster-Hall*; which Judgment is good till it be Reversed, and protects all those that relied upon it. If that Judgment be Erroneous, let it be Reversed, and then all Men have a fair warning; if it were corruptly obtained, then let the Judges suffer, and not the poor ignorant Protestants in the Countrey. In the Case of the Ship-Money, all those that promoted the same, and readily submitted to it, and solicited others to the like Compliance, were Censured in Parliament as guilty of betraying the Rights of the People, and the Priviledges of Parliament, and yet the Judgment of the Judges in *Westminster-Hall* protected them from the least punishment whatsoever. In the next place, the late King's General Pardon, though possibly it may not be pleaded in Bar to a particular Impeachment of a great Minister of State, which is grounded upon a particular Reason of Law; yet it will be good in Law for all others that are not Impeached; and many Thousands have been discharged upon that Pardon already; so that Pardon being allowed good, as it must be in Law, many never acted since that time; others that did, had time till last Term, and by consequence till this, had not the Old Oaths been Abrogated, and being now willing to take the New Oaths within the time prescribed, instead therefore humbly hope for equal benefit.

Quære 5. Whether this Bill be Consistent with the Honour of the Government at this day, since it overturns the former Proceedings of the same Parliament; and it even contradicts the Judgment of every Member of the House of Commons, most of the Lords of the Upper House, all the Privy Counsellors, and, with Reverence be it spoken, of his Majesty himself; for I humbly conceive, that they were all concerned in making or allowing of the late Commissions for the Land-Tax, and the new Commissions of the Peace, and you will find almost in every County some or other within this Act, which are thought worthy to serve one day, and must be unworthy the next. Then consider the Reason of the Anger against these Men, which is, because such persons are supposed to be Consenting for taking off the Test and Penal Laws; But this Implication cannot be stronger than an express consent by Subscription, and then you will find some of them in all the greatest Offices

Offices of the Kingdom ; Look into the Treasury ; look into the Commissions of the Customs ; the Excise ; the King's Council ; the new Serjeants ; even the Privy Counsellors themselves ; Nay you may also find them very numerous in both the Houses of Lords and Commons, and it would doe well first to *pull the Beam out of our own Eyes before we see the Mote in our Brothers*. These things are no secrets , but, on the contrary, being common discourse, it is hoped that no person will accuse the Author of partiality or reflection on the Government ; for I'll assure you, an impartial sentence upon all Offenders is the great aim of this Paper, both for the Honour and Interest of the Government ; and I speak the truth more boldly, because it is generally reported that his Majesty's natural inclinations are against the Passing of this Bill ; The happy influences whereof will make Thousands of poor Protestants, who are heartily sorry for their past Offences, and now wish well to the present Establishment, both pray and fight for the preservation of his Sacred Person.

I shall not presume to make a *Quære*, Whether this Bill will consist with his Majesty's Alliances abroad , because it is out of my present purpose , which is onely to make some Modest Inquiries into the Consequences of this Bill in relation to Protestants.

Quære 6. Whether this Bill will not be an Occasion of calling the Legality of this Parliament in question before the Judges in *Westminster-Hall* ? for though, no doubt, all true Protestants will readily agree to all Taxes for the publick good, when they see that even you your selves are comprehended, and so grounded upon an equal basis and foundation ; Yet the Law of Self-preservation, and even Necessity, will force them to try the utmost means, rather than submit to so much severity, and even the utter ruine of themselves and families. And if in such a Case the Judges, when they come upon their Oaths in a Judicial manner, upon Argument of Council cannot reconcile their Judgments in Law, to the Interest of the Nation, what sad and dismal Consequences may this produce ? And no man can be sure that this will not happen, since it is a notorious Crime for any to examine, or for the Judges to deliver their Opinions before hand.

Quære 7. Whether this Bill will Raise such a sudden supply as is required , and thereby answer the end for which it is designed ; for those that are able will either cross the Sea, or at least cross the Water, and live in the King's Bench for one Six Months, if not more, expecting the Issue of this Campaign, rather than comply with so much severity ; And those poor Protestants that are not able (as I hear most of them are not) will doe more service in Plowing and Tilling the Ground, than in a County-Goal. As to those that have Estates, (which few have except the Roman Catholicks) they are generally involved in so many Commissions, as Sheriffs, Justices of Peace, Commissions of Sewers, and the like, that their Income will not raise the several Penalties under four or five Years, and all that time their Wives and Children must starve. Believe me, such an Universal clamour will create Pity, and Pity, Love ; and where the Sufferer obtains one, the Punisher must expect its contrary : The People of *England* are greedy of a particular Revenge, but abominate an universal Calamity.

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